

## **DETAILED ACTION**

### ***Status of Claims***

1. Claims 1-19 are pending in this application. Claims 14-16 have been cancelled. This action is in response to the applicants' after-final amendment filed on April 21, 2008.

### ***Status of Priority***

2. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file. A copy of PCT/EP04/50310 was located as a "document submitted with a 371 application in the electronic file wrapper.

### ***Status of Rejections***

3. In view of the amendments, arguments presented, and cancellations in the Response by applicants, all the previous rejections of record have been overcome.

4. Claims 14-19 are rejected under 35 U.S.C. 112, 1<sup>st</sup> paragraph, as failing to comply with the enablement requirement. The rejection of Claims 14-19 is hereby withdrawn in view of applicants' cancellation of claims 14-16 and the amendments to claims 17-19.

5. Claims 17-19 are rejected under 35 U.S.C. 112, 2<sup>nd</sup> paragraph, as failing to comply with the definiteness requirement. The rejection of Claims 17-19 is hereby withdrawn in view of applicants' amendments to claims 17-19.

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior office action.

### **Reasons for Allowance**

6. The following is an examiner's statement of reasons for allowance:  
Claims 1-13 and 17-19 are free from the prior art. The closest prior art is Dille, et. al., Journal of Organic Chemistry, (1955), 20, 171-7. Dille, et. al. teaches an N,3-diphenyl-3H-1,2,3-triazolo[4,5-d]pyrimidin-5-amine compound. Here the phenyl rings are unsubstituted, or R<sup>3</sup> is a hydrogen. The current application teaches these same compounds however R<sup>3</sup> must be a halo, hydroxy or optionally substituted alkyl group.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee, and to avoid delays, should preferably accompany the issue fee. Such submissions should clearly be labeled "Comments on the Statements of Reasons for Allowance".

### **Conclusion**

7. Claims 1-13 and 17-19 are allowed.  
8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jeffrey H. Murray, J.D., whose telephone number is 571-272-9023. The examiner can normally be reached on Mon.-Thurs. 7:30-6pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. James O. Wilson can be reached at 571-272-0661. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 1624

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Jeffrey H Murray/  
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